

# HOUSE BILL NO. 2105

## 102ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE CHRISTOFANELLI.

4312H.011

DANA RADEMAN MILLER, Chief Clerk

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### AN ACT

To repeal sections 162.261, 162.481, and 162.601, RSMo, and to enact in lieu thereof four new sections relating to information maintained about members of school boards.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Sections 162.261, 162.481, and 162.601, RSMo, are repealed and four  
2 new sections enacted in lieu thereof, to be known as sections 115.062, 162.261, 162.481, and  
3 162.601, to read as follows:

**115.062. 1. Before June first immediately following a municipal election for  
2 members of the board of education of a seven-director school district, a metropolitan  
3 school district, or a municipal election for members of the board of directors of an  
4 urban school district, such school district shall submit to the election authority with  
5 jurisdiction over the area in which the majority of such school district is located a report  
6 containing the following information:**

- 7       **(1) The name of such school district;**  
8       **(2) The name of each school board member or director serving such district;**  
9       **(3) The length and expiration date of the term of each school board member or  
10 director; and**  
11       **(4) The direct hyperlink to a publicly accessible webpage on the school district's  
12 website that contains the requirements and process that an individual shall follow to file  
13 as a candidate for election to the board of education or board of directors of such school  
14 district. If such a webpage does not exist, the school district shall provide such  
15 information in writing to the election authority with jurisdiction over the area in which  
16 the majority of such school district is located.**

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17           **2. Before July first of each year, an election authority that receives the**  
18 **information required under subsection 1 of this section shall report to the secretary of**  
19 **state's office such information for each school district located primarily within such**  
20 **election authority's jurisdiction.**

21           **3. (1) Each school district shall report to the election authority with jurisdiction**  
22 **over the area in which the majority of such school district is located a resignation,**  
23 **removal, or death of a board of education member or board of directors member and a**  
24 **change or appointment made to fill a vacancy on such board of education or board of**  
25 **directors. Such report shall be submitted within seven days of such vacancy.**

26           **(2) The election authority shall report to the secretary of state's office**  
27 **information received under subdivision (1) of this subsection within thirty days of**  
28 **receiving such information.**

29           **4. The secretary of state's office shall post on its website a list containing all**  
30 **information received from election authorities under subsection 3 of this section. Such**  
31 **list shall be posted before August first of each year in a format that is easily viewable**  
32 **and shall be revised as changes occur.**

162.261. 1. The government and control of a seven-director school district, other  
2 than an urban district, is vested in a board of education of seven members, who hold their  
3 office for three years, except as provided in sections 162.241 and 162.563, and until their  
4 successors are duly elected and qualified. Any vacancy occurring in the board shall be filled  
5 by the remaining members of the board; except that if there are more than two vacancies at  
6 any one time, the county commission upon receiving written notice of the vacancies shall fill  
7 the vacancies by appointment. If there are more than two vacancies at any one time in a  
8 county without a county commission, the county executive upon receiving written notice of  
9 the vacancies shall fill the vacancies, with the advice and consent of the county council, by  
10 appointment. The person appointed shall hold office until the next municipal election, when a  
11 director shall be elected for the unexpired term.

12           2. No seven-director, urban, or metropolitan school district board of education shall  
13 hire a spouse of any member of such board for a vacant or newly created position unless the  
14 position has been advertised pursuant to board policy and the superintendent of schools  
15 submits a written recommendation for the employment of the spouse to the board of  
16 education. The names of all applicants as well as the name of the applicant hired for the  
17 position shall be included in the board minutes.

18           3. The provisions of Article VII, Section 6 of the Missouri Constitution apply to  
19 school districts.

20           **4. Each school district shall report information about such school district and**  
21 **the board of education members as required under section 115.062.**

162.481. 1. Except as otherwise provided in this section and sections 162.492 and 162.563, all elections of school directors in urban school districts shall be held biennially at the same times and places as municipal elections.

2. Except as otherwise provided in subsections 3, 4, and 5 of this section, hereafter when a seven-director district becomes an urban school district, the directors of the prior seven-director district shall continue as directors of the urban school district until the expiration of the terms for which they were elected and until their successors are elected as provided in this subsection. The first biennial school election for directors shall be held in the urban school district at the time provided in subsection 1 which is on the date of or subsequent to the expiration of the terms of the directors of the prior district which are first to expire, and directors shall be elected to succeed the directors of the prior district whose terms have expired. If the terms of two directors only have expired, the directors elected at the first biennial school election in the urban school district shall be elected for terms of six years. If the terms of four directors have expired, two directors shall be elected for terms of six years and two shall be elected for terms of four years. At the next succeeding biennial election held in the urban school district, successors for the remaining directors of the prior seven-director district shall be elected. If only two directors are to be elected they shall be elected for terms of six years each. If four directors are to be elected, two shall be elected for terms of six years and two shall be elected for terms of two years. After seven directors of the urban school district have been elected under this subsection, their successors shall be elected for terms of six years.

3. In any school district in which a majority of the district is located in any home rule city with more than one hundred fifty-five thousand but fewer than two hundred thousand inhabitants, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and the terms shall be for three years and until their successors are duly elected and qualified for all directors elected on and after August 28, 1998.

4. For any school district which becomes an urban school district by reason of the 2000 federal decennial census, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and the terms shall be for three years and until their successors are duly elected and qualified for all directors elected on and after August 28, 2001.

5. In any school district in any county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants which becomes an urban school district by reason of the 2010 federal decennial census, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and the terms shall be for three years and until

38 their successors are duly elected and qualified for all directors elected on and after April 2,  
39 2012.

40         6. In any urban school district in a county of the first classification with more than  
41 eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule  
42 city with more than seventy-six thousand but fewer than ninety-one thousand inhabitants as  
43 the county seat, elections shall be held annually at the same times and places as general  
44 municipal elections for all years where one or more terms expire, and upon expiration of any  
45 term after August 28, 2015, the term of office shall be for three years and until their  
46 successors are duly elected and qualified.

47         **7. Each school district shall report information about such school district and**  
48 **the board of education directors as required under section 115.062.**

162.601. 1. Elected members of the board in office on August 28, 1998, shall hold  
2 office for the length of term for which they were elected, and any members appointed  
3 pursuant to section 162.611 to fill vacancies left by elected members in office on August 28,  
4 1998, shall serve for the remainder of the term to which the replaced member was elected.

5         2. No board members shall be elected at the first municipal election in an odd-  
6 numbered year next following August 28, 1998.

7         3. Three board members shall be elected at the second municipal election in an odd-  
8 numbered year next following August 28, 1998, to serve four-year terms.

9         4. Four board members shall be elected at the third municipal election in an odd-  
10 numbered year next following August 28, 1998, and two of such members shall be elected to  
11 four-year terms and two of such members shall be elected to three-year terms. For the two  
12 members elected at the municipal election in 2006, the terms of such members shall expire  
13 after their successors are elected and qualified pursuant to subsection 6 of this section.

14         5. Beginning with the fourth municipal election in an odd-numbered year next  
15 following August 28, 1998, and at each succeeding municipal election in a year during which  
16 board member terms expire, there shall be elected members of the board of education, who  
17 shall assume the duties of their office at the first regular meeting of the board of education  
18 after their election, and who shall hold office for four years, and until their successors are  
19 elected and qualified.

20         6. For the two board members who are elected at the municipal election in 2006, their  
21 successors thereafter shall be elected at the general election in the year in which their terms  
22 expire.

23         7. Members of the board of directors shall be elected to represent seven subdistricts.  
24 The subdistricts shall be established by the state board of education to be compact, contiguous  
25 and as nearly equal in population as practicable. The subdistricts shall be revised by the state

26 board of education after each decennial census and at any other time the state board  
27 determines that the district's demographics have changed sufficiently to warrant redistricting.

28       8. A member shall reside in and be elected in the subdistrict which the member is  
29 elected to represent. Subdistrict 1 shall be comprised of wards 1, 2, 22 and 27. Subdistrict 2  
30 shall be comprised of wards 3, 4, 5 and 21. Subdistrict 3 shall be comprised of wards 18, 19,  
31 20 and 26. Subdistrict 4 shall be comprised of wards 6, 7, 17 and 28. Subdistrict 5 shall be  
32 comprised of wards 9, 10, 11 and 12. Subdistrict 6 shall be comprised of wards 13, 14, 16 and  
33 25. Subdistrict 7 shall be comprised of wards 8, 15, 23 and 24.

34       **9. Each school district shall report information about such school district and**  
35 **the board of education members as required under section 115.062.**

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